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10/07/2005 DPOLLARD 00000002 501959 10764743

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Atty. Dkt. No.: WD0116

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fritzke et al.

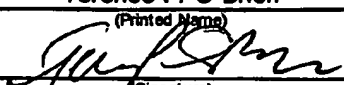
Title: INSERT FOR A BAT HAVING  
AN IMPROVED SEAM  
ORIENTATION

Appl. No.: 10/764,743

Filing Date: January 26, 2004

Examiner: Mark S. Graham

Art Unit: 3711

<b>CERTIFICATE OF PRIORITY MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Priority Mail on the date indicated below and in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  Terence P. O'Brien (Printed Name)  (Signature)  September 27, 2005 (Date)
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**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**A. COMMENTS**

This communication is responsive to the Notice of Non-Compliant Amendment mailed on September 22, 2005. The Notice of Non-Compliant Amendment indicates that the Amendment filed on August 5, 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In particular, because a complete listing of all of the claims is not present.

In the Amendment filed on August 5, 2005, Applicants did not include the previously canceled claims 1, 2, 7-22, 30, 31, 34, 37 and 47-55, and previously withdrawn claims 3-6, 23-29, 32, 33, 35, 36 and 38-46. With this Response,


**C. CONCLUSION**

With this response to the Notice of Non-Compliant Amendment, Applicants respectfully request reconsideration of claims 56-72. Applicants believe that the present application is now in condition for allowance. The Examiner is invited to telephone the undersigned to discuss any issues in this case in order to advance the prosecution thereof.

No fee is believed due in association with this Response to the Notice of Non-Compliant Amendment. However, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 501959.

Respectfully submitted,

Date 27 September 2005  
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Chicago, IL 60631

By   
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**PATENT APPLICATION FEE DETERMINATION RECORD**  
Effective October 1, 2003

Application or Docket Number

*10764743*

**CLAIMS AS FILED - PART I**

	(Column 1)	(Column 2)
TOTAL CLAIMS	<i>17</i>	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	<i>17</i> minus 20 =	
INDEPENDENT CLAIMS	<i>2</i> minus 3 =	
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

\* If the difference in column 1 is less than zero, enter "0" in column 2

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	FEE		RATE	FEE
BASIC FEE	385.00	OR	BASIC FEE	770.00
XS 9=		OR	XS18=	
X43=		OR	X86=	
+145=		OR	+290=	
TOTAL		OR	TOTAL	<i>770</i>

**CLAIMS AS AMENDED - PART II**

*9-30-05* (Column 1) (Column 2) (Column 3)

AMENDMENT A	(Column 1)		(Column 2)		(Column 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	
Total	* <i>41</i>	Minus	** <i>20</i>	=	<i>21</i>
Independent	* <i>3</i>	Minus	*** <i>3</i>	=	<i>-</i>
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>					

SMALL ENTITY OR OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
XS 9=		OR	<i>30</i> XS18=	<i>1050.00</i>
X43=		OR	X86=	
+145=		OR	+290=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	<i>1050.00</i>

AMENDMENT B	(Column 1)		(Column 2)		(Column 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	
Total	*	Minus	**	=	
Independent	*	Minus	***	=	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>					

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
XS 9=		OR	XS18=	
X43=		OR	X86=	
+145=		OR	+290=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

AMENDMENT C	(Column 1)		(Column 2)		(Column 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	
Total	*	Minus	**	=	
Independent	*	Minus	***	=	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>					

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
XS 9=		OR	XS18=	
X43=		OR	X86=	
+145=		OR	+290=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."  
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.